

**BOARD OF BEHAVIORAL SCIENCES
CONSUMER SERVICES/CONSUMER PROTECTION COMMITTEE
MEETING MINUTES**

JANUARY 11, 2001

(approved April 20, 2001)

**HOLIDAY INN ON THE BAY
1355 N. HARBOR DRIVE
SAN DIEGO, CA**

MEMBERS PRESENT

Selma Fields, MFT Member, Committee Chair
Christina Chen, Public Member
Virginia Laurence, LCSW Member
Howard Stein, Public Member

MEMBERS ABSENT

STAFF PRESENT

Sherry Mehl, Executive Officer
LaVonne Powell, Legal Counsel
Julie McAuliffe, Administrative Analyst

GUEST LIST ON FILE

The meeting was called to order at approximately 9:48 a.m.

1. APPROVAL OF MINUTES

HOWARD STEIN MOVED, CHRISTINA CHEN SECONDED, AND THE COMMITTEE CONCURRED TO APPROVE THE NOVEMBER 9, 2000 MINUTES AS CORRECTED.

2. PROPOSED AMENDMENTS TO THE CALIFORNIA CODE OF REGULATIONS SECTION 1811

Ms. Mehl explained that current regulation includes corporation language that is no longer needed and does not include advertisement language for Associate Clinical Social Workers. The proposed amendment to Section 1811 addressed the advertising requirements and deleted unnecessary language.

CHRISTINA CHEN MOVED, HOWARD STEIN SECONDED, AND THE COMMITTEE CONCURRED TO ADOPT THE PROPOSED AMENDMENT.

3. PROPOSED AMENDMENTS TO THE DISCIPLINARY GUIDELINES

Ms. Fields explained to the Committee that Board members need to be aware that the disciplinary guidelines are a guideline document. Ms. Powell stated that the Board members, Board staff, attorney generals, and administrative law judges use the disciplinary guidelines document. The format of the document had been changed to be more user friendly.

Ms. Mehl thanked staff and Ms. Powell for their work on the document.

Mary Riemersma, Executive Director of the California Association of Marriage and Family Therapists, commented on the draft document. She suggested that on pages 15 and 17, number 11, the words “law and” be added before the word “ethics”.

Ms. Powell then made the following suggested changes:

page 16, number 2 – leave “Quarterly Report Form” in language and include revision date.

page 16, number 5 - strike “not run” and replace with “be tolled”.

pages 19 and 24 - add “monitor” to the beginning of “Billing System and Billing System Audit”.

page 24, number 30 – strike “respondent is not to engage in the billing process in any manner whatsoever” .

CHRISTINA CHEN MOVED, HOWARD STEIN SECONDED, AND THE COMMITTEE CONCURRED TO APPROVE THE DISCIPLINARY GUIDELINES DOCUMENT WITH CHANGES.

4. PROPOSED AMENDMENTS TO THE CALIFORNIA CODE OF REGULATIONS SECTION 1887.3

Ms. Mehl explained that the Committee had asked staff to draft language to require six hours of continuing education in law and ethics every two years. This draft was included in the meeting materials.

Dr. Laurence explained that she was abstaining for the vote because she thought that it may be difficult to find a fresh course every two years.

Jan Lee Wong, Executive Director of the National Association of Social Workers, suggested plain language be included to indicate the course would count toward the thirty-six hours of mandated continuing education.

Ms. Riemersma stated the professional association is generally opposed to requiring any mandates but, if the Board were to mandate, it should be law and ethics.

Ms. Pines stated that she agreed that six hours may be excessive. The Committee then discussed this issue and determined that since the laws are constantly changing and the ethical standards are reflective of the law, a six hour course every two years would not be excessive.

CHRISTINA CHEN MOVED, HOWARD STEIN SECONDED, AND THE COMMITTEE CONCURRED TO RECOMMEND ADOPTION OF THE PROPOSED AMENDMENT TO THE FULL BOARD.

5. ENFORCEMENT STATISTICS

The statistics included in the meeting materials reflected the enforcement activities for a six-month period ending December 31, 2000. Overall, enforcement activity for most Boards has decreased. Ms. Mehl stated that staff has really been very good at determining whether a case should go forward, regularly meets with our legal counsel, and when necessary meets with the Attorney General's office to discuss enforcement issues.

HOWARD STEIN MOVED, CHRISTINA CHEN SECONDED, AND THE COMMITTEE CONCURRED TO ADJOURN THE MEETING.

The meeting adjourned at 10:25 a.m.